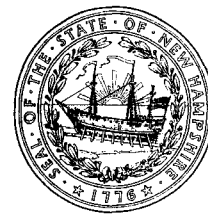




The State of New Hampshire  
***Department of Environmental Services***



**Michael P. Nolin**  
Commissioner

LETTER OF DEFICIENCY  
WD WQE 05 - 05  
June 15, 2005

Wickes Lumber  
Attn: Bill Blanchette  
PO Box 669  
44 Railroad Avenue  
Meredith, New Hampshire 03253

RE: Wickes Lumber, Meredith, New Hampshire  
RSA 485-A, Surface Water Quality Violations

Dear Mr. Blanchette:

The Department of Environmental Services ("DES") conducted an inspection of your property on May 24, 2005 in response to a complaint of possible violations on the property owned by the Wickes Lumber located on Railroad Avenue, Meredith, New Hampshire, more particularly identified on Meredith Tax Maps as Map U05 Lot 1 ("the Property").

During the inspection DES personnel observed the following:

1. No erosion control measures were installed on the Property;
2. Exposed soils in the Wickes Lumber yard were unstabilized and erosion was evident;
3. Drainage swales on the Property were unstabilized;
4. Sediment from the lumber yard was entering the unstabilized swales;
5. Sediment-laden surface water runoff was leaving the Property; and,
6. Turbidity was observed at the point at which surface water runoff from the Property entered into Lake Winnepesaukee, at the town docks.

RSA 485-A:13 states that it shall be unlawful for any person or persons to discharge or dispose of any sewage or waste to the surface waters of the state without first obtaining a permit from DES. Sediment-laden water constitutes waste as defined under RSA 485-A.

RSA 485-A:17, is intended to protect New Hampshire surface waters by controlling soil erosion and managing stormwater runoff from developed areas. Pursuant to RSA 485-A:6, VIII, DES has adopted NH Administrative Rules Env-Ws 415 to implement this program

Env-Ws 415.09(i) and (k) require employment of temporary and permanent methods for preventing soil erosion and controlling runoff.

Env-Ws 415.09(j) limits the length of time of exposure of unstabilized soils.

In response, you are requested to take the following action:

1. **Immediately stabilize the Property** and install erosion control measures as necessary to protect surface water quality and prevent erosion; and, remove all sediment from all drainage structures;
2. **Within 10 days of the date of this Letter of Deficiency**, prepare an erosion and sediment control plan ("Plan") for the Property, and submit said Plan to DES for review. The Plan shall include, at a minimum, temporary and permanent erosion control measures necessary to stabilize the site, protect surface water quality, and prevent further impacts to surface waters. The Plan shall also include a schedule for implementing the measures described in the Plan; and,
3. **Within 30 days of the date of this Letter of Deficiency**, implement the Plan on the Property, as approved by DES, in accordance with the approved schedule.

DES believes that the cited deficiencies can be corrected within the time periods established within this Letter of Deficiency. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party. DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 485-A may result in enforcement by DES, including, but not limited to, the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties.

Submit your plans and reports to:

Ana Ford Herrero  
Land Resources Management  
Department of Environmental Services  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this Letter of Deficiency, please call me at (603) 271-3380.

Sincerely,

A large, stylized, handwritten word "COPY" in capital letters. Overlaid on the "COPY" is a handwritten signature in cursive script, which appears to read "Ana Ford Herrero".

Ana Ford Herrero  
Compliance Specialist  
Site Specific Program

*Certified Mail RRR # 7099 3400 0002 9774 7206*

cc: Gretchen R. Hamel, DES Legal Unit Administrator  
James Martin, DES Public Information Officer  
Jody Connor, State Limnologist  
Meredith Code Enforcement Officer  
Meredith Conservation Commission  
Meredith Planning Board